

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: JIMMY L. ASLINGER AND	{	CHAPTER 13
HATTIE J. ASLINGER,	{	
	{	
DEBTOR(S)	{	CASE NO. R23-40075-PWB
	{	
	{	JUDGE BONAPFEL

OBJECTION TO CONFIRMATION

COMES NOW K. EDWARD SAFIR, CHAPTER 13 TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. As unsecured creditors may receive less than in a Chapter 7 liquidation, the plan may not conform to 11 U.S.C. Section 1325(a) (4).
2. The Chapter 13 trustee requests that the Debtor(s) provide additional documentation to support the valuation of the real property disclosed on Schedule A/B.
3. The Debtor(s) has failed to provide the Trustee with a copy of the federal tax return or transcript of such return for the most recent tax year ending immediately before the commencement of the instant case and for which a federal income tax return was filed, in violation of 11 U.S.C. Section 521(e) (2) (A) (i). Therefore, the Trustee requires that the Debtor(s) provide the Trustee with a sworn statement by the Debtor(s), in addition to the tax return, which states that the tax return provided is a true copy of the most recent tax return filed.
4. The Debtor(s)' Chapter 13 plan, schedules, and/or Statement of Financial Affairs are inaccurate and/or incomplete; the Trustee is unable to determine either the duration or feasibility of the proposed plan. 11 U.S.C. §§ 1325(a) (3) and 1325(a) (7); specifically, Schedule C is blank.
5. The Chapter 13 budget fails to include expenses for homeowner's insurance; thereby, possibly rendering the proposed Chapter 13 plan payment to be infeasible, in violation of 11 U.S.C. Section 1325(a) (6).

K. Edward Safir, Chapter 13 Trustee
285 Peachtree Center Ave., NE
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brandik@atlch13tt.com

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

/s/

 Brandi L. Kirkland, Attorney
 for Chapter 13 Trustee
 GA Bar No. 423627 or
 Albert C. Guthrie, Attorney
 GA Bar No. 142399

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R23-40075-PWB

CERTIFICATE OF SERVICE

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

JIMMY L. ASLINGER
124 TOPPER WAY
DALTON, GA 30721-9548

HATTIE L. ASLINGER
124 TOPPER WAY
DALTON, GA 30721-9548

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

SAEGER & ASSOCIATES, LLC

This 3rd day of March, 2023

/s/

Brandi L. Kirkland, Attorney
for Chapter 13 Trustee
GA Bar No. 423627 or
Albert C. Guthrie, Attorney
GA Bar No. 142399

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